

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated February 2, 2006 has been received and its contents carefully reviewed.

Claims 1, 7 and 12 are currently amended. No new matter is added. Claims 1-25 are currently pending. Claims 1-22 are currently examined and claims 23-25 are withdrawn from consideration. Reexamination and reconsideration of the examined claims are respectfully requested.

In the Office Action, claims 1-22 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,387,484 to Doany et al. (hereinafter "Doany"). Claims 1, 3, 12 and 14 are provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 14-17 of copending U.S. Application No. 10/677,252. Claims 1-22 are provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-17 of copending U.S. Application No. 10/704,749.

The rejection of claims 1-22 as being anticipated by Doany is respectfully traversed and reconsideration is requested.

Claims 1 and 12 are allowable over Doany in that each of these claims recites a combination of elements including, for example, "a reflecting layer...wherein the reflecting layer has...a refractive index and a thickness such that the reflecting layer totally reflects the laser beam." Doany does not teach at least these features of the claimed invention. Specifically, the structure of each of claims 1 and 12 of the present application is different from the structure of Doany in that the reflecting layer of the claimed invention has a refractive index and a thickness that allows the reflecting layer to totally reflect the laser beam. In contrast, Doany merely teaches a coating 16 that consists of a high-reflectivity material, such as a dielectric material. See column 3, lines 41-46. Nowhere does Doany teach or suggest that the high-reflectivity material "totally reflects the laser beam," as recited in the independent claims. Thus, Doany is completely silent with respect to the limitation "the reflecting layer totally reflects the laser beam." Furthermore, Doany only discloses depositing the dielectric coating 16 by evaporation

or sputtering. See column 4, lines 19-21. Thus, Doany is completely silent with respect to the “refractive index” and “thickness” of “the reflecting layer.” Accordingly, because Doany fails to teach the features of the claimed invention, Applicant respectfully submits that claim 1, claims 2-11 which depend therefrom, claim 12, and claims 13-22, which depend therefrom, are allowable over Doany.

The provisional rejection of claims 1, 3, 12 and 14 under 35 U.S.C. §101 as claiming the same invention as that of claims 14-17 of copending U.S. Application No. 10/677,252 is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that claims 1, 3, 12 and 14 of the present application differ from claims 14-17 of U.S. Application No. 10/677,252 in that claims 1, 3, 12 and 14 of the present application recite a laser beam mask for shaping a laser beam including “a base substrate” and “a reflecting layer...wherein the reflecting layer has...a refractive index and a thickness such that the reflecting layer totally reflects the laser beam” (See independent claims 1 and 12). In contrast, claims 14-17 of U.S. Application No. 10/677,252 recite “a phase shift layer on the base substrate...and a blocking layer overlapping the phase shift layer” (see claim 14). Thus, claims 1, 3, 12 and 14 of the present application differ in scope over claims 14-17 of U.S. Application No. 10/677,252, and therefore, do not claim the same invention as asserted by the Examiner in the Office Action. Reconsideration and withdrawal of the rejection of independent claim 1, claim 3, which depends therefrom, independent claim 12 and claim 14, which depends therefrom, are respectfully requested.

The provisional rejection of claims 1-22 under 35 U.S.C. §101 as claiming the same invention as that of claims 1-17 of copending U.S. Application No. 10/704,749 is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that claims 1-22 of the present application differ in scope from claims 1-17 of copending U.S. Application No. 10/704,749 in that claims 1-22 of the present application recite a laser beam mask for shaping a laser beam including “a base substrate” and “a reflecting layer...wherein the reflecting layer has...a refractive index and a thickness such that the reflecting layer totally reflects the laser beam” (See independent claims 1

and 12). In contrast, claims 1-17 of U.S. Application No. 10/704,749 recite "a laser beam shielding pattern...and...an anti-thermal oxidation layer covering the laser beam shielding pattern" (see claims 1 and 10). Thus, claims 1-22 of the present application differ in scope over claims 1-17 of U.S. Application No. 10/704,749, and therefore, do not claim the same invention as asserted by the Examiner in the Office Action. Reconsideration and withdrawal of the rejection of independent claim 1, claims 2-11 which depend therefrom, claim 12, and claims 13-22, which depend therefrom, are respectfully requested.


Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 2, 2006

Respectfully submitted,

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